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Attorney for Defendant  
PETER JOSEPH BALLINGER

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. Cr. S 02-480 WBS
	)	
Plaintiff,	)	
	)	DEFENDANT'S UNOPPOSED MOTION TO
v.	)	TERMINATE SUPERVISION PURSUANT TO
	)	18 USC § 3583(E)(1)
PETER JOSEPH BALLINGER,	)	
	)	
Defendant.	)	Time:
	)	Judge: Hon. William B. Shubb
_____	)	

**TO: MCGREGOR W. SCOTT, UNITED STATES ATTORNEY AND PHILLIP TALBERT,  
ASSISTANT UNITED STATES ATTORNEY, ATTORNEYS FOR THE PLAINTIFF:**

PLEASE TAKE NOTICE that the defendant, Peter Joseph Ballinger,  
through undersigned counsel, hereby moves the Court to terminate  
supervision pursuant to 18 U.S.C. § 3583(e)(1).

1 **I. FACTS**

2 Mr. Ballinger was convicted of a Manufacturing Marijuana in  
3 violation of 21 U.S.C. § 841. He was released from the Bureau of  
4 Prison's custody on April 17, 2006. He has been supervised by the  
5 United States Probation Office for at least two years. His original  
6 term of supervision was 48 months.

7 According to the probation officer, Mr. Ballinger has never had  
8 any violations of his terms of supervision. He has been in good  
9 communication with the probation office, often initiating the contact  
10 himself. His health is currently very poor. He owes no fines, special  
11 assessments or restitution. He lives in a remote area approximately 3  
12 hours from the probation office.

13 The defendant is requesting termination of his supervision. ***The***  
14 ***defendant's probation officer has been contacted and has no opposition***  
15 ***to this request. Counsel for the government, Phillip Talbert, has***  
16 ***consulted with probation and also has no objection to this request.***

17 **II. LAW**

18 18 U.S.C. 3583(e)(1) states that the Court may terminate  
19 supervision at any time after one year if the Court is "satisfied that  
20 such action is warranted by the conduct of the defendant" and if such  
21 action is in the interests of justice.

22 This case was Mr. Ballinger's first involvement with the criminal  
23 justice system. His conduct during the more than two years since his  
24 release from federal custody has been exemplary. He respectfully  
25 requests that this Court now terminate his supervision. The government  
26 has no objection to this request.

1 Dated: June 19, 2008

2 Respectfully submitted,

3 DANIEL J. BRODERICK  
4 Federal Defender

5 /s/ Linda C. Harter  
6 LINDA C. HARTER  
7 Chief Assistant Federal Defender  
8 Attorney for Defendant  
9 PETER JOSEPH BALLINGER

10 **O R D E R**

11 Pursuant to 18 U.S.C. § 3583(e), Peter Joseph Ballinger's  
12 supervised release is ordered terminated. Early termination is  
13 warranted based on the conduct of the releasee and is in the interests  
14 of justice.

15 Dated: June 20, 2008

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17 WILLIAM B. SHUBB  
18 UNITED STATES DISTRICT JUDGE  
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